

REMARKS

The Examiner has maintained the rejection. As set forth below, such rejection is still deficient. However, despite such deficiencies and in the spirit of expediting the prosecution of the present application, applicant has incorporated the subject matter of dependent Claim 57 et al. into each of the independent claims. Since the subject matter of such dependent claims was already considered by the Examiner, it is asserted that such claim amendments would not require new search and/or consideration.

The Examiner has rejected Claims 51-53, 55, 56, 58-62, and 64 under 35 U.S.C. 102(e) as being anticipated by Teper et al. (U.S. Patent No. 5,815,665). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to the independent claims. Specifically, applicant has amended the independent claims to include the subject matter of dependent Claim 57 et al.

With respect to the independent claims, the Examiner has relied on the Abstract from Teper, and particularly Teper's disclosure of an online brokering service, to make a prior art showing of applicant's claimed technique "wherein the method is practiced on behalf of a first online service" (see the same or similar, but not necessarily identical language in the independent claims).

Applicant respectfully asserts that the Abstract from Teper merely discloses an "Online Brokering Service [that] provides user authentication and billing services," where "[u]sers...initially register with the Brokering Service." However, Teper further teaches that "when a user connects to a registered SP [(Service Provider)] site and attempts to access an online service, the SP site initiates a challenge-response authentication sequence which allows the Online Brokering Service to authenticate the user for the SP site" (Col. 3, lines 5-9-emphasis added). Specifically, "the SP site sends a challenge message to the user's computer over the distributed network (e.g., the Internet), and the user computer responds by generating and returning a cryptographic response message" (Col. 3, lines 9-13). In addition, "[t]he SP site forwards the response message

to the Online Broker site along with the user's unique ID (which the SP site obtains from the user computer) and the original challenge message,” in order for the “Online Brokering Service...to determine whether the response message was properly generated, and to thereby authenticate the user” (Col. 3, line 19-25-emphasis added).

Thus, Teper expressly discloses that a user registers with a brokering service, but that when a user connects to a service provider site, the service provider site sends the challenge message, receives the response message, and forwards such response message to the separate online broker site (see Figure 1). Clearly, Teper discloses two different sites, an online broker site that registers a user, and a service provider site that receives a response message from the user when the user connects to the service provider site and forwards such message to the online broker site for authenticating the user. Applicant emphasizes that use of the service provider site and the online broker site, as in Teper, fails to meet applicant's specifically claimed “method [that] is practiced on behalf of a first online service,” where the method comprises both “registering a user” and “identifying the user by: (1) soliciting from the user the member identifier of the user; (2) [and] receiving the member identifier of the user” (see the same or similar, but not necessarily identical language in the independent claims-emphasis added), in the context claimed by applicant.

In the Advisory Action mailed 11/20/2007, the Examiner has generally argued that “Teper discloses a method, system, and computer program for identifying a user using a user computer system among a group of users, comprising: registering and identifying the user.” The Examiner has also argued that “Teper further discloses multiple online services (Service Provider sites and online brokering service) where the user logs in using standard parameters (passwords, challenge questions, etc. called unique identifier by Applicant),” and that “Teper provides authentication for multiple users simultaneously.”

Applicant respectfully disagrees. Only generally alleging that Teper discloses multiple online services, as noted by the Examiner, fails to specifically meet applicant's

claimed “method [that] is practiced on behalf of a first online service,” where the method comprises both “registering a user” and “identifying the user by: (1) soliciting from the user the member identifier of the user; (2) [and] receiving the member identifier of the user” (emphasis added), in the context claimed by applicant.

Applicant again emphasizes, as noted above, that Teper expressly discloses that a user registers with a brokering service, but that when a user connects to a service provider site, the service provider site sends the challenge message, receives the response message, and forwards such response message to the separate online broker site (see Figure 1). Thus, Teper clearly discloses two separate services, one which registers a user and the other which receives a response to a challenge message, which simply does not meet applicant’s claimed “method [that] is practiced on behalf of a first online service,” where the method comprises both “registering a user” and “identifying the user by: (1) soliciting from the user the member identifier of the user; (2) [and] receiving the member identifier of the user” (emphasis added), in the context claimed by applicant.

In addition, with respect to the independent claims, the Examiner has relied on the Abstract of Teper, and in particular the online brokering service disclosed by Teper, to make a prior art showing of applicant’s claimed technique “wherein a plurality of users having a same user computer system are registered by repeating (a)(1)-(a)(2) for each of the plurality of users” (see the same or similar, but not necessarily identical language in the independent claims).

Applicant respectfully asserts that the Abstract from Teper, as relied on by the Examiner, merely discloses an “Online Brokering Service [that] provides user authentication and billing services to allow users to anonymously and securely purchase online services from Service Providers (SP) sites (e.g., World Wide Web sites) over a distributed public network.” Clearly, only generally disclosing allowing users to anonymously and securely purchase online services, as in Teper, fails to even suggest “a plurality of users having a same user computer system,” let alone that such a “plurality of

users having a same user computer system are registered by repeating (a)(1)-(a)(2) for each of the plurality of users” (emphasis added), as specifically claimed.

In the Advisory Action mailed 11/20/2007, the Examiner has generally argued that “Teper discloses a method, system, and computer program for identifying a user using a user computer system among a group of users, comprising: registering and identifying the user.” The Examiner has also argued that “Teper further discloses multiple online services (Service Provider sites and online brokering service) where the user logs in using standard parameters (passwords, challenge questions, etc. called unique identifier by Applicant),” and that “Teper provides authentication for multiple users simultaneously.”

Applicant respectfully disagrees. First, applicant respectfully asserts that simply alleging that Teper discloses identifying a user that uses a user computer system among a group of users, as noted by the Examiner, fails to meet applicant’s claimed “plurality of users having a same user computer system [that] are registered by repeating (a)(1)-(a)(2) for each of the plurality of users” (emphasis added), as specifically claimed. Second, applicant points out that Figure 1 of Teper clearly shows a separate user computer system for each user, which does not suggest, and even seems to *teach away* from, applicant’s claimed “plurality of users having a same user computer system” (emphasis added), as specifically claimed.

Also with respect to the independent claims, the Examiner has relied on Col. 6, lines 4-13 in Teper to make a prior art showing of applicant’s claimed technique “wherein the user is authenticated to the first online service utilizing the member identifier, the unique identifier, and a password of the user” (see the same or similar, but not necessarily identical language in the independent claims).

Applicant respectfully asserts that the excerpt from Teper relied on by the Examiner only discloses that “[t]he user registers with the Online Broker by providing various user information (name, address, phone number, etc.) and payment information

(credit card number, purchase order instructions, etc.) to the Broker,” and that “[t]he user additionally agrees to a contract, and establishes a personal password that is known only by the user and the Broker.” (Col. 6, lines 4-10). In addition, the excerpt teaches that “the Broker assigns a unique ID that can be mapped to the user only by the Broker, and provides the user with the client software components of the system” (Col. 6, lines 10-13). Therefore, applicant respectfully points out that such excerpt from Teper only relates to a user registering with the online broker, which simply does not even suggest that “the user is authenticated to the first online service” (emphasis added), as claimed.

In fact, applicant notes that Teper only discloses that “when a user initially connects to an SP site, the SP site transmits a challenge message over the public network to the user computer, and the user computer generates and returns [a] cryptographic response message (preferably generated using a password of the user)” (Abstract). In addition, Teper teaches that the “SP site then passes the response message to the Brokering Service, which in-turn looks up the user’s password and authenticates the response message,” such that “[i]f the response message is authentic, the Online Brokering Service transmits an anonymous ID to the SP site, which can be used for subsequently billing the user” (Abstract-emphasis added). Thus, Teper only discloses authenticating the response message, and does not teach that a “user is authenticated to the first online service utilizing the member identifier, the unique identifier, and a password of the user” (emphasis added), as specifically claimed.

In the Advisory Action mailed 11/20/2007, the Examiner has generally argued that “Teper discloses a method, system, and computer program for identifying a user using a user computer system among a group of users, comprising: registering and identifying the user.” The Examiner has also argued that “Teper further discloses multiple online services (Service Provider sites and online brokering service) where the user logs in using standard parameters (passwords, challenge questions, etc. called unique identifier by Applicant),” and that “Teper provides authentication for multiple users simultaneously.”

Applicant respectfully disagrees. As noted above, Teper only discloses that “when a user initially connects to an SP site, the SP site transmits a challenge message over the public network to the user computer, and the user computer generates and returns [a] cryptographic response message (preferably generated using a password of the user)” (Abstract-emphasis added). In addition, Teper teaches that the “SP site then passes the response message to the Brokering Service, which in-turn looks up the user’s password and authenticates the response message,” such that “[i]f the response message is authentic, the Online Brokering Service transmits an anonymous ID to the SP site, which can be used for subsequently billing the user” (Abstract-emphasis added). Clearly, only disclosing that a response message is generated using a password of the user, and that an anonymous ID is transmitted to an SP site, as in Teper, fails to specifically teach that a “user is authenticated to the first online service utilizing the member identifier, the unique identifier, and a password of the user” (emphasis added), as specifically claimed.

In fact, applicant notes that Teper discloses “the online services available on the Web sites are accessed by the user using a single account (e.g., username and/or password) established between the user and the Online Broker” (Col. 2, lines 45-48). Only disclosing that online services are accessible using a username and/or password, as in Teper, clearly fails to meet applicant’s claimed “user [that] is authenticated to the first online service utilizing the member identifier, the unique identifier, and a password of the user” (emphasis added), as specifically claimed.

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Teper reference, as noted above. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has substantially incorporated the subject matter of Claims 57 et al. into each of the independent claims.

With respect to the subject matter of former dependent Claim 57 et al. (now at least substantially incorporated into each of the independent claims), the Examiner has taken Official Notice in rejecting applicant's claimed technique "wherein the unique identifier includes an electronic mail address."

Specifically, the Examiner has argued that "unique identifiers are old and well known in the computer arts," that "[u]nique identifiers can be random character strings, [a] user given string, or even an email address," and that "[i]t would have been obvious...to utilize a unique identifier including the email address of the user."

Applicant respectfully disagrees. For example, Teper only generally discloses a username and password (Col. 2, line 47). In addition, Teper discloses that the "user... is assigned a unique ID which can be mapped to the user only by the Online Brokering Service" (Col. 2, line 67-Col. 3, line 2). Clearly, disclosing a unique ID which is assigned to a user, as in Teper, fails to even suggest a technique "wherein the unique identifier includes an electronic mail address," as claimed.

Thus, in response to the Examiner's rejection of applicant's specific claim language under Official Notice, applicant again points out the remarks above that clearly show the manner in which some of such claims further distinguish Teper. Applicant thus formally requests a specific showing of the subject matter in ALL of the claims in any future action. Note excerpt from MPEP below.

"If the applicant traverses such an [Official Notice] assertion the examiner should cite a reference in support of his or her position." See MPEP 2144.03.

Since the Teper reference fails to teach all of applicant's claim limitations, especially in view of the amendments made hereinabove to the independent claims, a notice of allowance or a proper prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. AMDCP061).

Respectfully submitted,
Zilka-Kotab, PC

/KEVINZILKA/

Kevin J. Zilka
Registration No. 41,429

P.O. Box 721120
San Jose, CA 95172-1120
408-505-5100